

06/26/2016

Dear Ms. Besselman,

After meeting with you and Jason Glowczewski on Thursday morning, 6/23/2016, at 0800, in the Human Resource Office, inside Geauga Medical Center, I came to the realization that I finally had to break my silence and report the unwanted sexual conduct that I have been subjected to by my immediate supervisor, Ms. Racheal Lerman. Otherwise the pattern of harassment that I have unjustly endured since October, 2013, would continue unabated. It also occurred to me that I might not be the only victim of Ms. Lerman's abuse.

I am emotionally exhausted as I write this. It is very difficult to form thought. In fact, it is traumatic for me to even see Ms. Lerman's name in front of me on paper. So I will refer to her as RL, throughout.

On January 8, 2014, I had my first meeting with the Compliance Department regarding my claims of harassment and a hostile work environment. I attributed the harassment to age discrimination. I wanted to report the unwanted sexual conduct as well, but I didn't out of fear of retaliation, as well as out of concern for RL's family and marriage. I was hoping that the harassment and workplace hostility would stop once Compliance became involved. It did not. So I have been agonizing for years about reporting RL's behavior, with all of the serious consequences that would follow.

The facts of my complaint are simple. They were included in the PowerPoint presentation in our meeting on 6/23/2016, titled, "A Human Resource Primer The Orwellian Workplace: Where up is down" Under, **"Telltale signs you might have a bad boss: When the boss makes inappropriate sexual overtures to a staff member calling him, "handsome", "good-looking", and "sexy", following up with, "I could probably be fired for saying that!"**

Somewhere in the time period between spring, 2012, and October, 2013, on at least three distinct occasions, I was subjected to unwelcome sexual harassment in the form of unwelcome sexual advances. I work a 7-on, 7-off rotation on 3rd shift, starting at 2100 and ending at 0700 the next day. Rarely do I stay over past 0730. But on several occasions when I did stay over past 0730, in completion of filling Anesthesia Boxes or because of workload, I ran into RL as I was in the lab hallway, punching out. RL was arriving at work at that time. On at least two distinct occasions that RL and I were in that hallway, alone, she called out, "HEY HANDSOME" or "HEY GOOD LOOKING." This greeting would be followed by some comment about my physical appearance. I thought it weird that a supervisor would address one of her employees in that manner, but sort of just laughed it off, changed the subject, and left.

However, things took a more serious course going forward, when I left the department late, after 0730, and RL was entering the vestibule leading into the lab hallway as I was entering the vestibule, leaving, at the same time. In the confines of the vestibule, RL said, "Hi Sexy" and laughed and said that "I could probably be fired for saying that!"

**EXHIBIT
2-D**

UH-Dundee 0109

I was stunned. I changed the subject immediately and quickly left. No other supervisor, or co-worker, had ever addressed me in that manner in my 36 year career. When I came home, I told my wife what had occurred and she was in disbelief that a supervisor would say such a thing. I told my wife that RL would be in a lot of trouble if I ever reported her. My wife said RL must have issues, or something. I can only imagine how fast UH would have taken action against me had I called a co-worker, "sexy", or made any other overt, inappropriate references to physical appearance.

From that day forward, I stopped filling the Anesthesia boxes, unless I was sure that I could leave on time, before RL arrived. I scrupulously avoided leaving late as much as workload would allow. In addition, I began to use PTO time to leave early on days that I thought she may be coming in early. My anxiety levels were high each morning.

I do not know the exact dates that these unwelcome sexual advances occurred. However, I would suggest examining the time and attendance records, from possibly April, 2012 to October, 2013, for days that I punched out after 0730 after my shift, to narrow it down. I don't think that there will be more than ten, and more likely less than five times that I punched out after 0730. **PLEASE NOTE that I will be more than willing to submit to a polygraph test regarding the veracity my testimony.**

Sadly, it has occurred to me that if RL approached me in this manner, at infrequent opportunities at the time-clock, that I might not be alone in experiencing her unwanted advances. I was rarely around her and she sexually harassed me. I doubt that her advances to me were a one-off. Possibly she has acted in this manner towards students and residents who are under her care, as well. A student /resident, who might be more easily coerced through intimidation, would be extremely reluctant to report such behavior in fear of damaging their careers before they get started. If deposed in a legal action, students and residents may also reveal a pattern of such behavior.

Furthermore, Ms. Lerman has frequent opportunities to be alone with a student/resident, travelling by car to universities, hospitals and other venues. In addition, once a year she accompanies students/residents to a weeklong pharmacy convention, out of town.

The hostile work environment that I have endured for at least the last three years has been debilitating, mentally and physically. It has caused my motor neuron disease in my lower body, to worsen. Not only have I suffered, but as much as I've tried to keep my wife out of the loop, she has suffered as well. I have worked knowing that I have a target on my back. Working under those conditions is excruciatingly difficult and stressful, waiting for the next shoe to drop.

UH, by its failure to act over a period of years, is complicit in enabling RL. Under the doctrine of Respondeat Superior, UH is required to be in control of the workplace. UH was officially made aware RL's unwarranted harassment, resulting in a hostile work environment, multiple times, and yet the harassment continues to this day, unimpeded. UH departments, HR, Compliance, Legal, as well as RL's reporting structure, up to and including the Geauga CEO, Steve Jones, were all apprised of the situation, both in writing and in person. I have all specific records of this claim.

I am a reasonable person and I have kept this in house. I have not sought remediation from the EEOC or the legal system, so as not to harm UH, unduly, in public. However, my family and I have suffered harm and UH needs to acknowledge that in any settlement. For the record, **I AM THE VICTIM IN THIS COMPLAINT.** Findings, published on Thursday from the Personality and Social Psychology Bulletin, show that the more strongly an organization stresses loyalty, obedience and purity — as opposed to values such as care and fairness — the more likely that organization is to blame the victim. **If I detect anything other than empathy and understanding from UH, during this investigation, I will IMMEDIATELY seek outside remediation through the EEOC and the legal system. My family and I have been through quite enough.**

While your investigation progresses, I ask that RL and I have no contact, no emails, no texts, no telephone calls, and no meetings. I can't even see her name in print without having a visceral reaction. In addition, I may request time off to regroup. Making this report has been agonizing. It is especially mind-boggling that things have been allowed to go this far.

I also ask that you take all steps to ensure my safety. In my opinion, Ms. Lerman has a personality disorder and is unstable.

Frank Dundee